

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILBURT PEREZ, *on behalf of himself and
others similarly situated in the proposed
FLSA Collective Action,*

Plaintiff,

-v.-

MICHAEL J. MARTINO and JONAS
BRONCK HOUSING CO. INC.,

Defendants.

23 Civ. 193 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

An initial pretrial conference in this matter was scheduled for March 15, 2024, at 10:00 a.m. (Dkt. #20). In advance of such conference, Plaintiff filed a pre-conference letter and proposed case management plan (Dkt. #21); Defendants filed a letter requesting an extension of the deadline for the parties to submit a joint case management plan in view of Defendants' anticipated filing of a letter request for a pre-motion conference (Dkt. #22); Plaintiff filed an opposition to Defendants' request (Dkt. #23); and Defendants filed a further reply (Dkt. #25). Additionally, Defendants filed a letter request for a pre-motion conference in anticipation of filing a motion for judgment on the pleadings pursuant to Federal Rule of Civil Procedure 12(c) or, in the alternative, for summary judgment pursuant to Rules 12(d) and 56 (Dkt. #24), and Plaintiff filed an opposition to Defendants' request (Dkt. #26). On March 12, 2024, this Court issued an order advising the parties that they "should be prepared to

discuss all issues raised in the aforementioned submissions at the Court's March 15, 2024 conference." (Dkt. #27).

Notwithstanding, Plaintiff failed to appear at the Court's March 15, 2024 conference. (See March 15, 2024 Minute Entry). Accordingly, Plaintiff is hereby ORDERED to show cause in writing by **March 29, 2024**, why this case should not be dismissed for failure to prosecute.

SO ORDERED.

Dated: March 15, 2024
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge